

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

(1)	EVA GIVEN KOPPADY, AS	)	
	ADMINISTRATOR FOR THE	)	
	ESTATE OF RONALD GIVEN,	)	
	Plaintiff,	)	
		)	
v.		)	Case No. CIV-20-1280-G
		)	
(1)	POTTAWATOMIE COUNTY	)	
	PUBLIC SAFETY CENTER TRUST	)	<b><u>JURY TRIAL DEMANDED</u></b>
	an Oklahoma Title 60 authority;	)	
		)	
(2)	BREONNA R. THOMPSON,	)	
	Individually and in her capacity as	)	
	Executive Director of the Pottawatomie	)	
	County Public Safety Center Trust;	)	
		)	
(3)	MASON WILSON, individually and in his	)	
	Capacity as the Chief of Police of the Shawnee	)	
	Police Department;	)	
		)	
(4)	BRAD BANEY, individually and in his	)	
	official capacity as Lieutenant of the	)	
	Pottawatomie County Public Safety Center;	)	
		)	
(5)	KORBIN WILLIAMS, individually and	)	
	in his official capacity as a law enforcement	)	
	officer;	)	
		)	
(6)	JAKE DUGGAN, individually and	)	
	in his/her official capacity as a law enforcement	)	
	officer;	)	
		)	
(7-12)	JOHN/JANE DOES (1-6), unknown individuals	)	
	who were involved but not yet identified,	)	
	and in their individual capacity,	)	
	Defendants.	)	

---

**COMBINED MOTION TO STRIKE KEVIN R. KEMPER'S MOTION TO WITHDRAW  
WITHOUT SUBSTITUTION FOR PLAINTIFF EVA GIVEN KOPADDY,  
WITH BRIEF IN SUPPORT**

COMES NOW attorney Kevin R. Kemper, Esq., to move this Honorable Court to strike his *Motion to Withdraw Without Substitution for Plaintiff Eva Given Kopaddy, As Administrator of the Estate of Ronald Given*, pursuant to Rule 83.5 of the Local Rules of the United States District Court for the Western District of Oklahoma), for the following reasons:

1. On or about June 9, 2022, Counsel filed his *Motion to Withdraw Without Substitution for Plaintiff Eva Given Kopaddy, As Administrator of the Estate of Ronald Given*, as he had perceived he had some professional obligations requiring his immediate withdrawal from this matter, as per 5A O.S. § 1.16(a).

2. Counsel and the Plaintiff, EVA GIVEN KOPPAFY, AS ADMINISTRATOR FOR THE ESTATE OF RONALD GIVEN, resolved those issues to their mutual satisfaction.

3. On or about Monday, July 11, 2022, Ms. Kopaddy as Personal Representative of the Estate of Ronald Given & Joshua Given, III, as well as the named Plaintiff in this matter, testified under oath in the Pottawatomie County District Court that she objected to Counsel's withdrawal in this federal matter and in that related state matter, *In re Estate of Ronald Given & Joshua Given, III, Deceased*, PB-2020-75 (Pottawatomie Co.). She also testified under oath that she had previously terminated the services of Mr. Ronald "Skip" Kelly, Esq., in this matter and that matter, and Ms. Chanda Graham, Esq., from this matter, in a letter dated March 6, 2022. Plaintiff confirmed under oath that is still her directive.

4. The Pottawatomie County District Court then signed and entered an *Order* withdrawing Mr. Kelly and confirming Counsel's continued representation of Ms. Kopaddy. *See* attached Exhibit 1. Counsel has requested a transcript of that hearing to provide as an exhibit to this Court, if necessary.

5. Therefore, Counsel urges this Court to provide the following relief without hearing:

A. Strike his *Motion to Withdraw Without Substitution for Plaintiff Eva Given Kopaddy, As Administrator of the Estate of Ronald Given*;

B. Grant any other relief that protects the rights of the Plaintiff and in the interests of justice.

Dated this 19<sup>th</sup> day of July, 2022,

Respectfully submitted,

THE LAW OFFICE OF KEVIN R. KEMPER, PLLC  
P.O. Box 454  
Guthrie, OK 73044  
(405) 877-3043  
[kemperlawoffice@gmail.com](mailto:kemperlawoffice@gmail.com)

/s/ Kevin R. Kemper  
Kevin R. Kemper, Esq., OBA#32968

#### **CERTIFICATE OF SERVICE**

I hereby certify that on or about this 19<sup>th</sup> day of July, 2022, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to those registered participants of the ECF System.

I further certify that on or about this 19<sup>th</sup> day of July, 2022, I mailed in the U.S. Mail, certified with return receipt requested, postage pre-paid, the attached document to the following who is not a registered participant of the ECF System.

EVA GIVEN KOPADDY  
2725 S.W. 49<sup>th</sup> St.  
Oklahoma City, OK 73119  
*Plaintiff*

/s/ Kevin R. Kemper  
KEVIN R. KEMPER

# **EXHIBIT 1**

**IN THE DISTRICT COURT FOR POTTAWATOMIE COUNTY  
STATE OF OKLAHOMA**

**FILED**  
IN THE DISTRICT COURT

IN THE MATTER OF THE ESTATES OF )  
RONALD GENE GIVEN AND )  
JOSHUA GIVEN III, DECEASED )

Case No. PB-2020-75

JUDGE JOHN G. CANAVAN

JUL 11 2022

POTTAWATOMIE COUNTY, OK  
VALERIE N. UELTZEN, COURT CLERK  
BY *Valerie N. Ueltzen*

**ORDER**

**NOW**, premised considered upon *Kevin R. Kemper's Application to Withdraw*, this Court **FINDS** that the Personal Representative, EVA GIVEN KOPADDY, in the above-referenced matter, has terminated Co-Counsel, RONALD "SKIP" KELLY, Esq., and wishes to continue the services of Co-Counsel, KEVIN R. KEMPER, Esq., Therefore, this Court **ORDERS**:

1. RONALD "SKIP" KELLY, Esq., shall be withdrawn as an attorney of record for the Personal Representative in this matter, effectively immediately;
2. Any future pleadings shall be served upon KEVIN R. KEMPER, Esq., who will continue to represent the Personal Representative.
3. A failure of any party to prosecute or defend the case may result in dismissal of the case without prejudice or the entry of a default judgment against the party.

IT IS THEREFORE ORDERED this date, the 11<sup>th</sup> day of July, 2022, by:

*[Signature]*  
THE HONORABLE JOHN G. CANAVAN  
JUDGE OF THE DISTRICT COURT

APPROVED AS TO FORM BY:

*[Signature]*  
Kevin R. Kemper, Esq., OBA # 32968  
LAW OFFICE OF KEVIN R. KEMPER, PLLC  
P.O. Box 454  
Guthrie, OK 73044  
(405) 877-3043  
[kemperlawoffice@gmail.com](mailto:kemperlawoffice@gmail.com)  
Co-Counsel for Personal Representative  
Eva Given Koppady

**CERTIFICATE OF TRUE COPY**

State of Oklahoma, ss. In the Dist. Court  
Pottawatomie County.  
I, Valerie N. Ueltzen, Court Clerk, do hereby certify that the  
above foregoing is a full, true, correct and complete  
copy of the original as the same appears on  
record and on file in my office.  
WITNESS my hand as Clerk and official seal this  
11<sup>th</sup> day of July, 2022.  
By *Valerie N. Ueltzen*  
Valerie N. Ueltzen, Court Clerk

---

EVA GIVEN KOPADDY  
2725 S.W. 49<sup>th</sup> St.  
Oklahoma City, OK 73119

---

RONALD "SKIP" KELLY, Esq., OBA#4937  
205 N.W. 63<sup>rd</sup>, Suite 150  
Oklahoma City, OK 73116  
*Co-Counsel for Personal Representative*  
*Eva Given Koppady*